

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

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HUGER FOOTE,	)	
	)	
	)	
Plaintiff,	)	
v.	)	No. 2:10-cv-02704-STA-tmp
	)	
JOHN J. SHEA, III and	)	
AVERY SHEA HUFFMAN,	)	
	)	
Defendants.	)	

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**ORDER GRANTING MOTION TO RENEW JUDGMENT**

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Plaintiff Huger Foote (“Foote”) has moved the Court to enter an Order renewing and extending the Final Judgment entered by this Court on August 17, 2011, against John J. Shea III in the original amount of three hundred thirty-one thousand five hundred two dollars and forty cents (\$331,502.40). (ECF No. 44.)

Because there is no specific federal statute of limitations on how long judgments are effective, the Court must look to Tennessee law. See, e.g., *Lillie v. Hunt*, Adv. Proc. No. 92-1060 (Bankr. W.D. TN May 3, 2005), citing *Szybist v. Aircraft Acquisition Corp. (Taylorcraft Aviation Corp.)*, 163 B.R. 734, 738 (Bankr. M.D. Penn. 1963). Tennessee law prescribes that “actions on judgments and decrees of courts of record of this or any other state or government” must be commenced within ten years after the cause of action accrued. Tenn. Code Ann. § 28-3-110(2). However, that ten-year limitation period may be extended under applicable Tennessee procedure.

Federal Rule of Civil Procedure 69(a)(1) provides that where there is no governing federal statute, “the procedure on execution – and in proceedings supplementary to and in aid of judgment or execution – must accord with the procedure of the state where the court is located.

Tenn. R. Civ. P. 69.04 provides in pertinent part:

**69.04. Extension of Time.** Within ten years from the entry of a judgment, the creditor whose judgment remains unsatisfied may file a motion to extend the judgment for another ten years. A copy of the motion shall be mailed by the judgment creditor to the last known address of the judgment debtor. If no response is filed by the judgment debtor within thirty days of the date the motion is filed with the clerk of court, the motion shall be granted without further notice or hearing, and an order extending the judgment shall be entered by the court.

Foote’s motion recites that contemporaneously with the filing of his Motion, a copy was mailed to the Administratrix of John J. Shea III’s Estate and to counsel for his Estate. No response objecting to the renewal of the judgment has been filed.

IT IS THEREFORE ORDERED that the Final Judgment entered by this Court on August 17, 2011, against John J. Shea III in the original amount of three hundred thirty-one thousand five hundred two dollars and forty cents (\$331,502.40) is renewed for an additional ten (10) years. Renewal of the judgment does not require the Court to determine the amount owed at this time, whether by accrual of post-judgment interest or by payments in partial satisfaction of the judgment.

**IT IS SO ORDERED.**

s/ S. Thomas Anderson  
S. THOMAS ANDERSON  
CHIEF UNITED STATES DISTRICT JUDGE

Date: July 13, 2021